

DISPROPORTIONATE MINORITY CONTACT



TECHNICAL ASSISTANCE PROJECT FINAL REPORT 2006

**NATIONAL COUNCIL ON CRIME
AND DELINQUENCY,
ALAMEDA, CONTRA COSTA,
VENTURA**



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EXECUTIVE SUMMARY

The Juvenile Justice and Delinquency Prevention Act of 2004 requires states to achieve and maintain compliance with four core requirements in order to receive federal funds awarded through the Formula Grants Program, which supports state and local efforts to reduce juvenile crime and delinquency and to improve the juvenile justice system. One of these requirements is that states must make a good faith effort to address disproportionate minority contact (DMC), which refers to the overrepresentation of minority youth relative to their numbers in the general population at any point in the juvenile justice system process.

To bolster California's efforts to address DMC, the Corrections Standards Authority (CSA) worked with local subject matter experts in developing the DMC Technical Assistance Project, a 14-month initiative involving the provision of various expert consultant services by the National Council on Crime and Delinquency (NCCD) to Alameda, Contra Costa and Ventura Counties. The project was intended to culminate in an action for DMC reduction in each of these counties.

As part of this project, CSA staff conducted a process evaluation designed to identify operational successes and challenges and to guide future approaches to DMC reduction efforts in California. This evaluation included a survey of the probation department staff and community stakeholders participating in the DMC work groups, interviews with the Chief Probation Officers in the three counties, and on-site monitoring by the CSA's DMC Coordinator.

Included in this report on the DMC Technical Assistance Project, which concluded in September 2006, is a discussion of two common challenges that confronted the counties participating in this project: 1) accessing all relevant DMC data; and 2) developing definitions for every decision point in the juvenile justice system. In addition, the report outlines steps taken by the counties to address these and other issues as well as overall "lessons learned" from this 14-month pilot project.

This report also includes several successes identified during the evaluation process, including:

- Identifying and engaging a broad spectrum of county-wide stakeholders;
- Establishing an organizational framework to promote strategic collaboration on key issues;
- Analyzing data on justice system decision points within probation's purview; and
- Expanding awareness of culturally relevant resources available in targeted areas.

In the final analysis, the findings from the evaluation of this project underscore the fact that developing and implementing a local DMC reduction plan requires time, resources, strong leadership and strategic collaboration. With NCCD's guidance and assistance, Alameda, Contra Costa and Ventura counties made substantial progress toward this goal. The Chief Probation Officers, Probation Department staff and key stakeholders in these counties demonstrated their commitment to addressing DMC – and, in the process, have not only laid the groundwork for their future efforts on this issue but also provided the impetus for an expanded DMC reduction initiative at the state level.

BACKGROUND

DMC refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population (contact refers to all decision points within the system, from arrest through confinement). To be eligible for federal Formula Grant funds, states must achieve and maintain compliance with four core requirements of the Juvenile Justice and Delinquency Prevention Act: 1) deinstitutionalization of status offenders; 2) separation of juveniles from adults in detention facilities; 3) removal of juveniles from adult jails and lockups; and 4) reduction of DMC.

In January 2004, the CSA (then known as the Board of Corrections) assumed responsibility from the Office of Criminal Justice and Planning for administering California's Formula Grant funds. Shortly thereafter, the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) notified the CSA that California was not in compliance with the DMC requirement, putting into jeopardy 20 percent of the state's Formula Grant funds.

To begin the process of bolstering California's efforts to reduce DMC, the CSA established a workgroup comprised of subject matter experts in the juvenile justice system who are involved in a DMC effort or have recognized expertise on the issue (Appendix A). The CSA charged the workgroup with developing recommendations on strategies that the state might pursue, using available federal funds, to reduce DMC.

While acknowledging that DMC is an intensely local matter, the workgroup agreed that strong leadership at both the state and local levels is imperative when addressing this issue. The workgroup also agreed that California's efforts to address DMC must include two critical components: education and collaboration of community stakeholders (to include police, district attorneys, public defenders, probation, judges, and community-based organizations).

Based on the expertise of workgroup members and their review of lessons learned from other states involved in DMC projects, the workgroup recommended a three-pronged approach in using available federal dollars to address DMC: 1) develop and administer a Technical Assistance Project in counties committed and willing to address DMC; 2) contract with an expert consultant to work collaboratively with counties in the implementation and evaluation of the project; and 3) establish a full-time DMC coordinator position at the CSA.

The CSA subsequently adopted all three recommendations and, in June 2005, following a competitive Request for Proposals (RFP) process, awarded a \$200,000 grant of federal funds to the National Council on Crime and Delinquency (NCCD) to serve as an expert consultant for counties selected to participate in the DMC Technical Assistance Project. The CSA's full-time DMC Coordinator was responsible for overseeing the project.

With implementation of the DMC Technical Assistance Project, OJJDP notified the CSA that California had achieved compliance with the fourth core requirement of the Juvenile Justice and Delinquency Prevention Act, thereby ensuring that California would not lose any federal funds available to the state through the Formula Grants program.

PROJECT DESCRIPTION

The Technical Assistance Project was based on a systems approach to DMC developed by the DMC Work Group and in concert with CSA staff. The implementation of this project involved both an RFP process resulting in NCCD serving as the expert consultant and a Request for Application (RFA) process resulting in three counties indicating a need and an interest in addressing DMC. Those counties were Alameda, Contra Costa and Ventura.

The goal of this project was to provide technical assistance to the three participating counties on an array of tasks associated with a DMC reduction initiative, including education, collaboration, organizational analysis, and data collection. The 14-month project was designed to culminate in an action plan for the counties' DMC reduction efforts to build upon.

The specific process NCCD used in providing DMC technical assistance was a combination of their expertise related to DMC encompassed within CSA's system's approach to DMC reduction as illustrated below (Appendix B – Details of systems approach):



To help ensure coordination and collaboration among the various leadership of local agencies serving at-risk youth and young offenders, each county's DMC workgroup entrusted the development of DMC related tasks to NCCD through a guided process by which each county developed workgroups with specific missions related to DMC.

All three counties convened a Decision Making workgroup whose mission was to examine the decision-making points along the juvenile justice continuum and analyze their impact on the disproportionate representation of youth of color in contact with the juvenile justice system; a Data Collection workgroup whose mission was to collect and analyze quantitative data to determine justice trends by ethnicity in the county; and a Resource workgroup whose mission was to conduct an inventory of programs, and identify gaps along the continuum of services for youth in the county.

Additionally, two counties involved community members, including youth and their families, by inviting them to participate in town hall meetings, focus groups or both (Appendix C).

NCCD provided each of the three counties an expert consultant whose job was to guide the process for developing a DMC action plan. Each consultant became familiar with the unique aspects of the counties, which allowed technical assistance to be tailored to the jurisdictions' specific needs, perspectives and culture.

The NCCD consultants met with the Chief Probation Officers from each county. These sessions served to initiate dialogue on DMC and resulted in the development of a list of key stakeholders within the jurisdiction that would be beneficial to the long-term process. The consultants then met with those key stakeholders and surveyed the department heads from the juvenile court judgeship, district attorney, local law enforcement, social services, education and other entities.

This preliminary groundwork, while time consuming, was a valuable technique that resulted in enhancing understanding of DMC and reaching consensus on the specific focus of efforts to reduce minority overrepresentation and better address the needs of youth in their community. After the initial interviews with countywide stakeholders, the workgroups began the process of examining system wide decision points, community resources, and the enhancement of DMC education.

To help inform and guide future efforts undertaken by the CSA, the DMC Technical Assistance Project included a multi-faceted process evaluation. This assessment included quarterly progress reports submitted by NCCD, a survey of workgroup participants by NCCD on several issues related to the overall effectiveness of the technical assistance provided to the county, and final reports submitted to the CSA by each participating county. In addition, the CSA's DMC coordinator conducted on-site monitoring visits and interviewed the Chief Probation Officers and DMC Coordinators in each county in order to gain further insight on operational challenges and successes. Key findings from this process evaluation – and the CSA's response to those findings – are outlined in the remainder of this report.

COMMON CHALLENGES

The collaborative partnership between NCCD and the three counties' respective workgroups resulted in the identification of two common challenges relative to developing a local DMC reduction initiative: 1) identifying and accessing relevant DMC data; and 2) developing consistent definitions for juvenile justice system decision points. Both of these challenges, as outlined below, underscore a key "lesson learned" from the DMC Technical Assistance Project – namely, that 14 months is insufficient time to develop an action plan for addressing DMC.

Identifying and Accessing Relevant DMC Data: The effort to identify the extent to which DMC exists statewide in California has primarily focused on the working relationship and collaboration between the CSA and California's Attorney General's Office, Department of Justice (DOJ). DOJ's Juvenile Court and Probation Statistical System (JCPSS) collects a variety of juvenile statistical data, including information regarding DMC, from 52 county probation departments on a yearly basis. The federal government uses this information for the tool it uses, known as the Relative Rate Index (RRI), to measure the level of overrepresentation at various juvenile justice decision points.

While the RRI may serve as a useful starting point for counties in identifying the extent to which DMC exists in their jurisdiction, the CSA does not require counties to use this tool. In fact, consistent with the belief that DMC is a local matter, the CSA encourages counties to identify and examine all relevant data as part of any effort to address minority overrepresentation in the local juvenile justice system. One of the objectives of the DMC Technical Assistance Project was to help the participating counties identify and access pertinent local data. While some progress was made on this front, this task proved to be quite challenging for all three counties due to a lack of resources, insufficient knowledge about key DMC data elements, and difficulty obtaining data elements (once identified and understood) from all pertinent collaborative partners (school districts, law enforcement, district attorney's office, etc.).

Developing Consistent Definitions for Decision Points: The second common challenge for the three counties participating in this project was that different definitions are used for many of the juvenile justice decision points – not only between counties but also between the collaborative partners in one county. For example, the term "diversion" had several different meanings for law enforcement, probation and other key stakeholders. For some, diversion occurred when a police officer counseled and released an offender rather than referring him/her to the probation department; for others, diversion occurred when the intake probation officer opted not to pursue court action; and, in a few instances, diversion and informal probation were used synonymously.

The lack of common definitions for various decision points in the juvenile justice system – and the realization that it would take much more time to develop consistent definitions – precluded the workgroups from identifying tangible goals for the local DMC reduction plan. Defining these decision points is imperative to ensure that stakeholders are "on the same page" when discussing DMC, analyzing DMC data, and developing policies related to DMC.

SUCSESSES

A common theme among DMC experts on a national level is to “celebrate successes, large and small.” The DMC Technical Assistance project not only identified and overcame common challenges but also completed important DMC related tasks worth celebrating. These tasks, listed below, are the building blocks in which a successful DMC initiative will thrive:

- Analyzed data accessible to the county on six of the seven decision points within probation’s purview;
- Developed an inventory questionnaire to further enhance knowledge of targeted high referral areas (Appendix D);
- Targeted data collection and analysis for certain offenses that national reports indicate may contribute significantly to DMC such as VOP or warrants (Appendix E);
- Collaborated with community-based organizations that had site-specific data relevant to DMC such as information on available and culturally relevant resources within targeted high referral zip codes areas;
- Enhanced collaborative efforts with community foundations that were willing to provide resources needed to collect additional DMC data; and
- Conducted focus groups with juveniles in the system to further determine youth perspective on DMC.

In the continued vein of celebrating success, the DMC Technical Assistance Project also resulted in the development of a list of proposed items that, if given continued attention and commitment, will ultimately lead to a DMC reduction action plan. Specific action items for addressing DMC at the local level include:

- Developing standard definitions of contact, diversion and any other possibly nebulous terms in relation to the juvenile justice system and DMC;
- Standardizing data collection systems that include the ability to disaggregate by race and ethnicity;
- Enhancing programs and resources (both in cultural relevance as well as services provided) relevant to the youth in the communities targeted; and
- Increasing resources in all aspects of DMC reduction to include leadership involvement, data collection resources and system and community wide education.

Finally, as a result of this project, the CSA succeeded in gaining valuable insight for moving forward with California’s DMC reduction efforts. From the CSA’s perspective, the following were the most significant “lessons learned” from this project:

- Increase resources to probation for developing a DMC infrastructure and collecting data;
- Increase the timeframe for developing a DMC reduction action plan; and
- Provide local jurisdictions the ability to determine (based on their respective culture and perspectives) the DMC expert consultant that best matches their county’s uniqueness.

CONCLUSION

With implementation of the DMC Technical Assistance Project, OJJDP notified the CSA that California had achieved compliance with the fourth core requirement of the Juvenile Justice and Delinquency Prevention Act, thereby ensuring that California would not lose any federal funds available to the state through the Formula Grants program.

More importantly, however, is the impact the DMC Technical Assistance Project had on the counties involved as well as the new insight it provided to the CSA and, in turn, to other counties across the state. The celebrated successes include: identifying and engaging a broad spectrum of county-wide stakeholders; establishing an organizational framework to promote strategic collaboration on key issues; analyzing data on justice system decision points within probation's purview; and expanding awareness of culturally relevant resources available in targeted areas, accentuate the importance of statewide participation in DMC reduction efforts. As with most new initiatives, challenges are inevitable; however, through ongoing education, collaboration and commitment, they too are not surmountable.

Alameda, Contra Costa and Ventura Counties did a tremendous job in utilizing the technical assistance offered by NCCD during the course of this project. The leadership of these three counties, their willingness to engage themselves in a DMC initiative and their abilities to both recognize and overcome challenges while still moving forward is a testament to their dedication to the at-risk youth populations in their communities.

As a result of the lessons learned from the DMC Technical Assistance Project, the CSA developed and launched a new initiative that involves competitively awarded grants to counties for a three-year phased approach to local DMC efforts. The incremental approach embodied in this effort is designed to assist probation departments in understanding and identifying DMC and to equip these agencies with the resources needed and currently lacking to provide leadership in DMC reduction activities. The first phase allocates up to \$150,000 in available federal funds to five county probation departments to help them establish the foundation for a DMC reduction effort. The second and third phases will support the education of stakeholders (up to \$175,000 to each participating county's probation department) and the implementation of a DMC reduction plan (up to \$200,000 to each department). For all there phases, counties will select the expert consultant who will help guide their effort. The first 12-month grant period for the Enhanced DMC Technical Assistance Project is January 1 through December 31, 2007.

APPENDIX A

CSA's DMC Workgroup

Corrections Standards Authority Disproportionate Minority Contact Work Group Members

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APPENDIX B

SYSTEM'S APPROACH TO DMC REDUCTION

1.	Education - All Stakeholders Attend DMC Education Training	
	a.	DMC History
		<ul style="list-style-type: none"> Requirements of the federal Juvenile Justice and Delinquency Prevention Act and role of the Office of Juvenile Justice and Delinquency Prevention Role and Efforts of the Corrections Standards Authority
	b.	DMC Intent - Impetus for Policy Change to Improve Service Delivery for At-risk Youth and Families
		<ul style="list-style-type: none"> Provide equitable and culturally appropriate services to all youth Cost-efficient governmental practice Examples: Washington, Oregon, Santa Cruz
	c.	DMC Issues in the Community
		<ul style="list-style-type: none"> External/Internal environment Political climate Program barriers
2.	Collaboration of Stakeholders	
	a.	Involve All Juvenile Justice Stakeholders
		<ul style="list-style-type: none"> Probation Judges Law Enforcement Public Defender District Attorney Community Based Organization Community Served
	b.	Conduct an Assessment of Local Environment
		<ul style="list-style-type: none"> Demographics (including ethnic breakdown) Geographic Location Workforce - Unemployment Program Availability Public Transportation
	c.	Create a Shared Vision
		<ul style="list-style-type: none"> Goals and Objectives - Reduce overrepresentation at all decision points
3.	Organizational/System Analysis	
	a.	Determine Organizational Effectiveness
		<ul style="list-style-type: none"> Impact of stakeholders' organizations on DMC Relationship of stakeholders' relationship to each other and involvement needed to address DMC
	b.	Address Perspectives on Cross-Organization Policies
		<ul style="list-style-type: none"> Initial contact, deployment of staff, risk assessment tools, caseloads, and overrides (a term used by law enforcement/probation staff when going outside assessment tool's calculation in determining risk for offender and community) Current policies and procedures that influence DMC at juvenile justice system decision points
4.	DMC Data - Currently Reporting to JCPSS	

	a.	Analyze Current Data Collection to Determine if Overrepresentation Exists
	b.	Collect Data Required to Identify Affected Community
		<ul style="list-style-type: none"> • Who is committing offenses • Where is the offense being committed • Time of day offense is committed • The type of offense • Discretionary practice (overrides at each decision point) • Average Length of Stay in juvenile hall
	c.	Analyze Trends in Affected Community
		<ul style="list-style-type: none"> • Types of crimes • Overrides due to safety/security or other reasons • Target Location/Community
	d.	Assess Resources in Identified Location
		<ul style="list-style-type: none"> • Snapshot of community well-being (identify service gaps, available programs)
	e.	Community Involvement
		<ul style="list-style-type: none"> • Community leaders - group discussions • Town Halls - parents and youth • Identify sensitivities within the community • Prioritize needs of youth and families in community • Identify barriers residents face in accessing services, i.e. transportation, language
5.	Develop Action Plan	
	a.	Identify Stakeholders' Individual Roles/Responsibilities within their Organization relevant to DMC
	b.	Prioritize Needs Based on Analysis of Target Community
	c.	Develop Short and Long-Term Strategies for Community Improvements
	d.	Develop Measurable Outcomes Based on the Empirical Data
	e.	Review/Refer to Goals and Objectives
	f.	Determine Best Approach for Implementing Plan
	e.	Provide Services

APPENDIX C

CONTRA COSTA'S WORKGROUP MEMBERSHIP

Decision Making Workgroup

Robert Kochly, District Attorney – Chairperson
Obie Anderson, Undersheriff
Patrick Cannon, Public Defenders Office
Lionel D. Chatman, Chief Probation Officer
Jennifer Deadman, County Administrators Office
Danna Fabella, Employment and Human Services
John Gioia, Supervisor District 1
Honorable Lois Haight, Judge of the Superior Court
Chief David Livingston, Concord Police Department
Chief Chris Magnus, Richmond Police Department
Joseph Ovick, County Office of Education
Dr. William Walker, Health Services

Data Collection Workgroup

Jim Morphy	Probation - Chairperson
Becky Williams	CAO - LJIS
Dan Cabral	DA
Patrick Harrington	EHSD
Greg Kurlinski	Probation
Bianca Bloom	CCCOE
Maurice Jennings	Concord Police
Perry Austin	Richmond Police
Dennis Kahane	Sheriff's Office

Resources Workgroup

Florence McAuley, JSPAC – Chairperson
Todd Billeci, Probation Department
Julio Casares, Community Member/Juvenile Systems Advisory Committee
Kevin Charles, Alcohol and Other Drugs
Michelle Williams, Public Health Department
Sandy Marsh, Mental Health Department
Reverend Tinsley, Juvenile Hall Chaplain

Bay Point Youth and Community Involvement Workgroup

Elaine Prendergast	Center for Human Development – Co-Chairperson
Vincent Manuel	Supervisor Federal Glover's Office – Co-Chairperson
Marquis Adams	Resident
Ublanca Adams	Bay Point Family Health Clinic, Health Conductor/Resident
Rose Armendariz	Los Mendanos College
Zenaida Burgos	Jewish Family and Children's Services
Robert Camp	Contra Costa Probation
Yolanda Costillo	Bay Point Family Health Clinic, Promotoras

Ed Diokno	Supervisor Federal Glover's Office
Evelyn Dodson	Bay Point Family Health Clinic, Health Conductor
Earlene Espy	Faith Community/Resident
Erykah Espy	Faith Community/Resident
Sandra Gallardo	Bay Point Family Health Clinic, Promotoras
Mike Gonzalez	Bay Point Family Health Clinic
Salena Green	Center for Human Development
Lollie Guterrez	Bay Point First 5 Center
Michael Kerr	Resident
Kisha Lee	Bay Point Family Health Center
Anita Marquez	Center for Human Development
Lourdes Martinez	Mt. Diablo Unified School District
Tiombe Mashama	Contra Costa Health Services/Public Health
Debra Mason	Ambrose Recreation and Park District/Resident
Angelica Matamoros	Bay Point Family Health Clinic, Promotoras
Miriam Medina	Bay Point Family Health Clinic, Promotoras
Erika Perez	Center for Human Development
Deborah Polk	Bay Point Family Service Center
Marzel Price	Resident
Millicent Price	Bel Air Noon Supervisor/Resident
Stephanie Roberts	Mt. Diablo Unified School District/After School Program
Rande Ross	Ambrose Recreation and Park District/Teen Center
Shanelle Scales	Congressman George Miller's Office
Maria Silva	Bay Point Family Health Clinic, Promotoras
Aneshia Swift	Resident
Carlos Torres	Jewish Family and Children's Services
Mary Thomas	Resident

Richmond Youth and Community Involvement Workgroup

Terrance Cheung	Office of Supervisor John Gioia – Co-Chairperson
Taalial Hasan	Youth Service Bureau – Co-Chairperson
Cherly Maier	Opportunity West
Beatrice Lee	Asian Pacific Psychological Services
Vylma Ortiz	East Bay Community Foundation

*Community Members, Service Providers, and Law Enforcement representatives also attend meetings.

Monument Corridor Youth and Community Involvement Workgroup

Raul Rojas	Office of Supervisor Mark DeSaulnier – Co-Chairperson
Jerry Okendo	League of United American Citizens – Co-Chairperson

*Community Members, Service Provides, and Law Enforcement representatives also attend meetings.

Additional input provided by:

Zelma Gandy-Don Sing, PhD-	Children's Mental Health Services
Mark Morris	

APPENDIX D
DMC RESOUCCE WORKGROUP PROGRAM INVENTORY
QUESTIONNAIRE (Contra Costa)

1. Name of program
2. Address (catchment area)
3. Email address
4. Phone & Fax Number
5. Program Mission and cost to client
6. Who program serves and how many served
7. Age of clients
8. Who runs the program (include how funded) & how cultural issues are addressed
9. Services provided
10. Program length and hours of operation
11. How are referrals made

APPENDIX E

REFERRAL OFFENSES BY RACE 2004 (Alameda County)



Offense	White		Af Am		H		API		AIAN		Other/Un		Total
Violent	235	14%	946	55%	362	21%	97	6%	2	0%	73	4%	1715
Property	496	18%	1296	46%	599	21%	300	11%	2	0%	131	5%	2824
Drug	198	26%	310	41%	146	19%	66	9%	1	0%	30	4%	751
Weapons	44	15%	79	26%	135	45%	33	11%	1	0%	9	3%	301
Other	237	17%	605	43%	327	23%	108	8%	0	0%	127	9%	1404
Warrant	75	8%	591	63%	188	20%	42	5%	1	0%	34	4%	931
Prob	78	9%	522	62%	163	19%	49	6%	0	0%	31	4%	843
Alcohol	52	39%	14	10%	44	33%	21	16%	0	0%	4	3%	135
Total	1415	16%	4363	49%	1964	22%	716	8%	7	0%	439	5%	8904